IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORIGINAL SIDE

INCOME TAX APPEAL NO. 843 OF 2002

The Commissioner of Income Tax, City-X, Bombay. Appellant

vs.

M/s.Shrihans Electricals Pvt.Ltd. Respondent

Ms. S. V. Bharucha i/b. Mr. K. B. Rao for the appellant.

CORAM : R. M. LODHA & J.P. DEVADHAR,JJ.

DATED : 15th September 2004

P.C.

In view of the judgment of the Supreme Court in Commissioner of Income Tax v. Indo Nippon Chemicals Co Ltd., 261 ITR 275, the learned counsel for the revenue submits that she has instructions to withdraw the appeal.

2. We accept her prayer and allow the appeal to be withdrawn.

3. Refund of court fee as per law.

(R.M. LODHA, J.)

(J.P. DEVADHAR,J.)